

## Department of Planning and Budget 2010 Fiscal Impact Statement

**1. Bill Number:** SB552

House of Origin    ☐    Introduced        ☐    Substitute        ☐    Engrossed  
Second House       ☐    In Committee    ☐    Substitute        ☒    Enrolled

**2. Patron:**        Barker

**3. Committee:** Passed both houses

**4. Title:**         **HOV lanes.**

**5. Summary:** The proposed legislation would extend the occupancy exemption on certain high occupancy vehicle (HOV) lanes for vehicles bearing clean special fuel vehicle license plates to July 1, 2011. The current occupancy exemption is scheduled to sunset June 30, 2010. The exemption authorizes such vehicles to use HOV lanes without meeting the required number of passengers.

Currently, the Code of Virginia sets two classes of clean special fuel vehicle license plates. Section 46.2-749.3, Code of Virginia, authorizes vehicles bearing clean special fuel vehicle license plates to use the I-95/395 corridor HOV lanes without meeting the occupancy requirement only if the license plates were issued prior to July 1, 2006. Vehicles with such license plates issued after July 1, 2006, must carry the appropriate number of passengers on the I-95/395 corridor HOV lanes, but may utilize HOV lanes on I-66 and the Dulles Toll Road in Northern Virginia and HOV lanes on I-64 and I-264 in Hampton Roads without meeting the occupancy requirement.

This bill would create a third class of license plates. Vehicles with clean special fuel vehicle license plates issued after July 1, 2011, would be prohibited from traveling on I-66 and I-95/395 HOV lanes without meeting the occupancy requirement. Vehicles bearing clean special fuel vehicle license plates issued between July 1, 2006, and July 1, 2011, would be allowed to use HOV lanes on I-66 without meeting the occupancy requirement, although they would still be restricted on I-95/395. Vehicles with clean special fuel vehicle license plates issued prior to July 1, 2006, would not be restricted on any HOV lanes.

**6. Fiscal Impact Estimates:** Final. See Item 8.

**7. Budget Amendment Necessary:** None.

**8. Fiscal Implications:** House Bill 1248, passed in the 2006 General Assembly session, directed a portion of each clean special fuel license plate registration, after the first thousand issued, to the Virginia State Police for HOV lane enforcement. The State Police received \$293,955 from the registrations last year.

Many of the vehicles in Virginia registered as clean special fuel vehicles are hybrid electric vehicles owned by Northern Virginia residents who utilize the HOV lanes. The prohibition

on I-66 may cause a decrease in the number of special fuel license plates issued and a decrease the amount of funding provided to the State Police.

**9. Specific Agency or Political Subdivisions Affected:** Virginia State Police, Department of Transportation, Department of Motor Vehicles

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** HB 214 also extends the sunset date, but does not amend the Code of Virginia regarding clean special fuel vehicle license plates.

Federal authorization which allows the exemption of low emission and energy efficient vehicles in HOV lanes is set to expire on February 28, 2010. This bill extends the state's sunset clause of the exemption beyond that date.

**Date:** 4/6/2010 dpb/smc

**Document:** G:\GA\FIS 2010\SB552ER.doc